



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE for PERMIT APPLICATION

Issue Date: July 2, 2009

Expiration Date: August 1, 2009

Corps of Engineers Action ID: NWP-2005-707

30 Day Notice

Oregon Department of State Lands Number: no permit required

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Mr. Dominic Yballe)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: US Coast Guard

Location: U.S. Coast Guard Facility Tongue Point, site accessed from Tongue Point Road, Columbia River mile 17, in Section 2, Township 8 North, Range 9 West, Clatsop County, near Astoria, Oregon.

Project Description: The proposed project involves conducting both maintenance and expanded dredging to -20 feet MLLW plus 2 feet of over-depth, advanced-maintenance dredging at the US Coast Guard Facility Tongue Point (Facility) to accommodate 24-hour per day access to the dock by the USCG Cutter "Fir" (WLB-213). The proposed dredging would remove the shoaling that has formed along the southwest side of the Facility dock area (approximately river mile 17+20 to 17+30). The proposed expanded dredge area is contiguous with the historic dredge area and is intended to increase vessel maneuverability along the western edge of the dock. The total area proposed to be dredged is 383,344 square feet (8.8 acres). The total volume of material to be removed within the dredge area is approximately 56,963 cubic yards.

Dredging will be conducted with either a pipeline or clamshell dredge during the in-water work window of November 1, 2009 – February 28, 2010. The dredged material is proposed to be disposed in-water within an approximately 200 foot-wide area between river miles 17+40 and 18+10. This disposal site was chosen due to its proximity to the

dredge area, the depth of the river bed (ranges from -53 feet to -60 feet MLLW), and because the site is anticipated to be highly dispersive.

Purpose: The project purpose is to conduct both maintenance and expanded dredging to accommodate 24-hour per day access to the dock by the USCG Cutter "Fir" (WLB-213), which is currently moored at the Facility.

Drawing(s): Five (5) labeled NWP-2005-707

Additional Information: Additional information may be obtained from Mr. Dominic Yballe, U.S. Army Corps of Engineers at (503) 808-4392 or Dominic.P.Yballe@usace.army.mil.

Authority: This permit will be issued or denied under the following:

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Coastal Zone Management Act Certification: A permit for the described work will not be issued until the state has concurred with the applicant's certification that the described activity affecting land or water uses in the Coastal Zone complies with the State Coastal Zone Management Program. Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3) requires the applicant to provide a Certification of Consistency statement. If the state fails to concur or object to the certification statement within six months, state concurrence shall be conclusively presumed. Attached to this Public Notice is a notice of application for Certification of Consistency with the State's Coastal Zone Management Program.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the proposed activity may

affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: An initial evaluation of the proposed project area indicates that to the best of our knowledge, the described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. At this time the Corps is unaware of any cultural resource surveys of the project area.

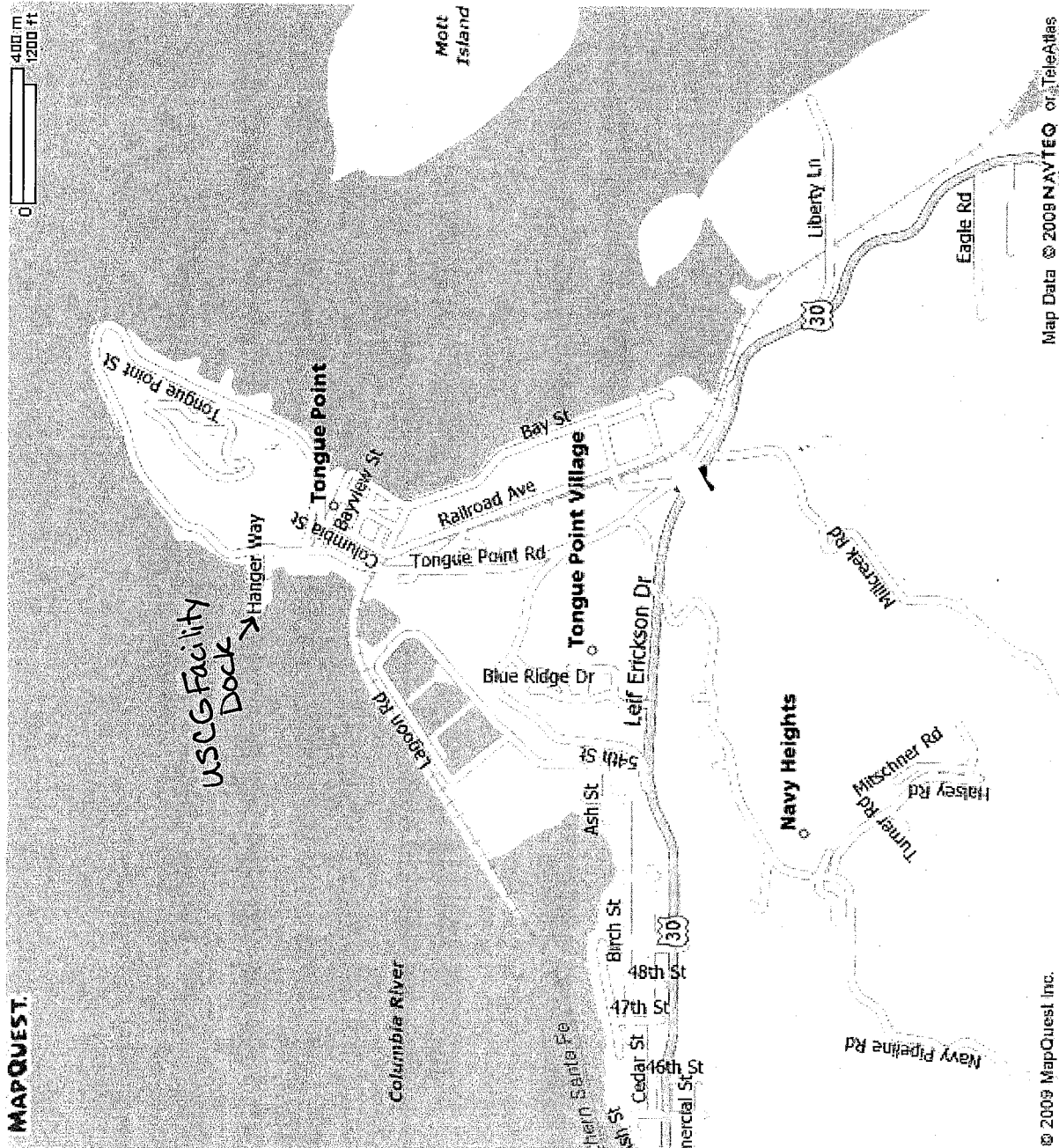
This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential affects.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

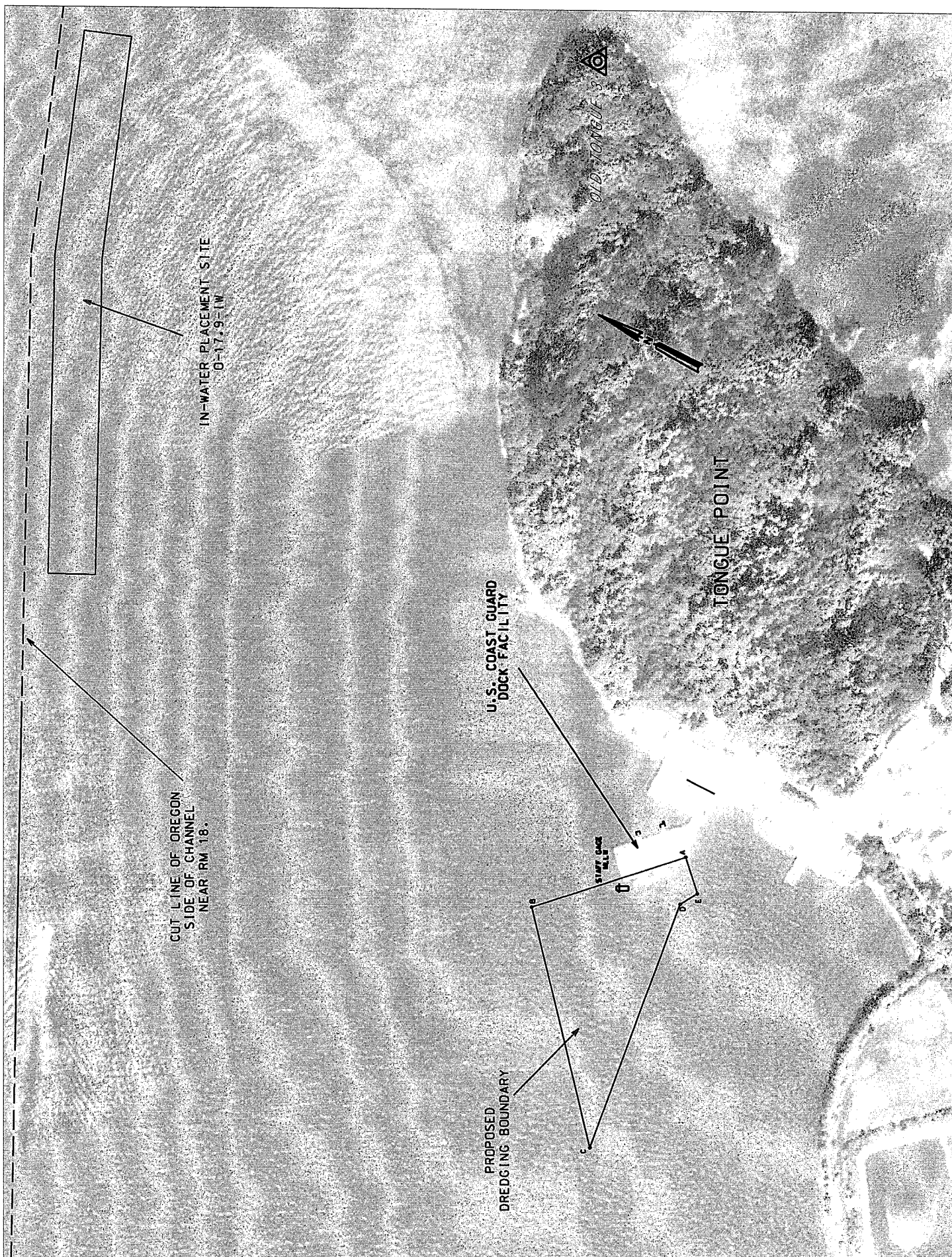
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

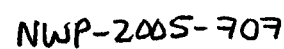
Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be

accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.



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PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers Action ID Number: NWP-2005-707 Notice Issued: July 2, 2009
Oregon Division of State Lands Number: none Written Comments Due: August 1, 2009

WHO IS THE APPLICANT: US Coast Guard

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to waters of the state.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and materials related to water quality issues as a result of the proposal are available for examination and copying at Oregon Department of Environmental Quality, 401 Water Quality Certification Coordinator, Northwest Region, 2020 S.W. 4th Avenue, Portland, Oregon 97201-4953. Other project materials are available by contacting the Corps per the attached public notice.

While not required, scheduling an appointment will ensure that water quality documents are readily accessible during your visit. To schedule an appointment please call DEQ Water Quality at Northwest Region at (503) 229-5552.

Any questions on the water quality certification process may be addressed to the 401 Program Coordinator at (503) 229-6030 or toll free within Oregon at (800) 452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

Public Hearing: Oregon Administrative Rule (OAR) 340-48-0032 (2) states that "The Corps provides public notice of and opportunity to comment on the applications, including the application for certification, provided that the department (DEQ), in its

discretion, may provide additional opportunity for public comment, including public hearing.”

Written comments:

Written comments on project elements related to water quality must be received at the Oregon Department of Environmental Quality by 5 p.m. on the date specified in the upper right section on page one of this notice. Written comments may be emailed, mailed or faxed as described below:

Email - 401publiccomments@deq.state.or.us

Mail - Oregon Department of Environmental Quality, Northwest Region
2020 S.W. 4th Avenue
Portland, Oregon 97201-4953
Attn: 401 Water Quality Certification Coordinator

Fax - (503) 229-6957

People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be mailed in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, certification of the proposal may be issued as proposed, issued with conditions, or denied. You will be notified of DEQ's final decision if you submit comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Office of Communications and Outreach at (503) 229-5317 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.

PUBLIC NOTICE

OREGON COASTAL MANAGEMENT PROGRAM

CONSISTENCY CERTIFICATION

Date: July 2, 2009

Corps of Engineers Action ID Number: NWP-2005-707

Oregon Department of State Lands Number: none

Notification

For projects subject to coastal zone review, notice is hereby given that the project is being reviewed by the Department of Land Conservation and Development (DLCD) as provided in Section 307(c) of the Coastal Zone Management Act. The applicant believes that the activities described in the attached materials would comply with and be conducted in a manner consistent with the Oregon Coastal Management Program. Project information can be made available for inspection at DLCD's Salem office.

DLCD is hereby soliciting public comments on the proposed project's consistency with the Oregon Coastal Management Program. Written comments may be submitted to DLCD, 635 Capital St. NE, Suite 200, Salem, OR 97301-2540, attention consistency review specialist. Any comments must be received by DLCD on or before the comment deadline listed in the federal notice. For further information, you may call DLCD at (503) 373-0050, ext. 250.

REVIEW CRITERIA

Comments should address consistency with the applicable elements of the Oregon Coastal Management Program. These elements include:

- § Acknowledged Local Comprehensive Plans & Implementing Ordinances
- § Statewide Planning Goals
- § Applicable State Authorities (e.g. Removal-Fill Law and Oregon Water Quality Standards)

INCONSISTENT?

If you believe this project is inconsistent with the Oregon Coastal Management Program, your comments to DLCD should explain why you believe the project is inconsistent and should identify the Oregon Coastal Management Program element(s) in question. You should also describe how the project could be modified, if possible, to make it consistent with the Oregon Coastal Management Program.